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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/360,912	07/26/1999	ASHWIN PALEKAR	200073	4835

7590 11/18/2004

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EXAMINER

SONG, HOSUK

ART UNIT PAPER NUMBER

2135

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/360,912

Applicant(s)

PALEKAR ET AL.

Examiner

Hosuk Song

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/26/1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/6/2004 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 33-35,37,39-43,45,49-51,53-56,58 are rejected under 35 U.S.C. 102(e) as being anticipated by Harsham et al(US 6,041,347).

Claim 33: Harsham disclose receiving by the gateway a request from the user to access the one or more resources on the network in (fig.1 and col.4,lines 13-17). Harsham disclose selecting a user object from a plurality of stored objects, wherein the user object corresponds to the user and includes a set of attributes comprising a group to which the user belongs in (col.2,lines 18-27;col.4,lines 28-38). Harsham disclose identifying a profile that applies to the user based on the set of attributes, wherein the profiles includes an authorization parameter and a communication parameter in (col.3,lines 5-18). Harsham disclose determining by the gateway whether to grant or deny access to the one or more resources on the network based upon the

authorization parameter in (col.4,lines 4-8,13-17). Harsham disclose configuring the communication path based upon the communication parameter in (col.2,lines 60-67;col.3,lines 1-4).

Claim 34: Harsham disclose network is a virtual network in (col.4,lines 4-8).

Claim 35: Harsham disclose determining whether to grant or deny access to the network based on the user name and password in (col.4,lines 4-8).

Claim 37: Harsham disclose determining a characteristic of the communication path between the user and the gateway and determining at the gateway whether to grant or deny access to the one or more resources on the network based on the determined characteristic in (col.2,lines 60-67;col.3,lines 1-4;col.4,lines 4-8).

Claim 39: Harsham disclose medium type characteristic in (col.2,lines 12-17).

Claim 40: Harsham disclose gateway is interposed between the user and each of the resources on the network in (fig.1).

Claim 41: Harsham disclose replacing the authorization parameter with an override attribute in (col.6,lines 2-19).

Claim 42: Harsham disclose replacing the communication parameter with an override attribute in (col.2,lines 58-67;col.3,lines 1-4).

Claim 43: Harsham disclose communication parameter includes an authentication type and the step of configuring the communication path, comprises setting the authentication type to be applied to the user in (col.2,lines 58-67;col.3,lines 1-4).

Claim 45: Harsham disclose establishing a network address assigned to the user in (col.5,lines 28-39).

Claim 49: Harsham disclose receiving by the gateway a request from the user to access the one or more resources on the network in (fig.1 and col.4,lines 13-17). Harsham disclose

selecting a user object from a plurality of stored objects, wherein the user object corresponds to the user and includes a set of attributes comprising a group to which the user belongs in (col.2,lines 18-27;col.4,lines 28-38). Harsham disclose identifying a profile that applies to the user based on the set of attributes, wherein the profiles includes an authorization parameter and a communication parameter in (col.3,lines 5-18). Harsham disclose determining by the gateway whether to grant or deny access to the one or more resources on the network based upon the authorization parameter in (col.4,lines 4-8,13-17). Harsham disclose configuring the communication path based upon the communication parameter in (col.2,lines 60-67;col.3,lines 1-4).

Claim 50: Harsham disclose network is a virtual network in (col.4,lines 4-8).

Claim 51: Harsham disclose determining whether to grant or deny access to the network based on the user name and password in (col.4,lines 4-8).

Claim 53: Harsham disclose determining a characteristic of the communication path between the user and the gateway and determining at the gateway whether to grant or deny access to the one or more resources on the network based on the determined characteristic in (col.2,lines 60-67;col.3,lines 1-4;col.4,lines 4-8).

Claim 54: Harsham disclose replacing the authorization parameter with an override attribute in (col.6,lines 2-19).

Claim 55: Harsham disclose replacing the communication parameter with an override attribute in (col.2,lines 58-67;col.3,lines 1-4).

Claim 56: Harsham disclose communication parameter includes an authentication type and the step of configuring the communication path, comprises setting the authentication type to be applied to the user in (col.2,lines 58-67;col.3,lines 1-4).

Claim 58: Harsham disclose establishing a network address assigned to the user in (col.5,lines 28-39).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 36,44,46,47,52,57,59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harsham et al(US 6,041,347).

Claim 36: Harsham does not specifically disclose communication further comprises setting quality of service(QOS) parameters. Examiner takes Official notice that QOS parameter is well known in the art. One of ordinary skill in the art would have been motivated to employ QOS in order to define expected performance for data transport to enhance quality.

Claim 44: Harsham does not specifically disclose setting a bandwidth. Official notice is taken that setting a bandwidth is well known in the art. One of ordinary skill in the art would have been motivated to set bandwidth in order to minimize cost and improve data efficiency.

Claim 46,47: Harsham does not specifically disclose establishing an encryption level to be applied to communications between the user and the network. One of ordinary skill in the art would have been motivated to establish encryption level in order to prioritize from high security to minimum security so that security level can be set according to its security needs thus effectively handling costs.

Claim 52: Harsham does not specifically disclose communication further comprises setting quality of service(QOS) parameters. Examiner takes Official notice that QOS parameter

is well known in the art. One of ordinary skill in the art would have been motivated to employ QOS in order to define expected performance for data transport to enhance quality.

Claim 57: Harsham does not specifically disclose setting a bandwidth. Official notice is taken that setting a bandwidth is well known in the art. One of ordinary skill in the art would have been motivated to set bandwidth in order to minimize cost and improve data efficiency.

Claim 59: Harsham does not specifically disclose establishing an encryption level to be applied to communications between the user and the network. One of ordinary skill in the art would have been motivated to establish encryption level in order to prioritize from high security to minimum security so that security level can be set according to its security needs thus effectively handling costs.

4. Claims 38,48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harsham et al(US 6,041,347) in view of Dunn(US 6,163,536).

Claims 38,48: Harsham does not specifically disclose communication link is a call-back number. Dunn disclose this limitation in (fig.6c;col.10,lines 19-26). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ call-back number links disclosed in Dunn with network communication system of Harsham in order to enhance data handling.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 571-272-3857. The examiner can normally be reached on Tue-Fri from 5:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2135

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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